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OFFICE OF PETITIONS

In re Application of	:	
Ali Mosleh, et al.	:	
Application No. 09/385,299	:	ON PETITION
Filed: August 30, 1999	:	
Attorney Docket No. 93-3-513	:	

This is a decision on the petition under 37 CFR 1.137(b), filed July 30, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed September 30, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. An Advisory action was also mailed January 9, 2004 indicating that the reply filed on December 29, 2003 failed to place the application in condition for allowance. Accordingly, the application became abandoned on December 31, 2003.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), it will be interpreted as the required statement. Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Since the present RCE was filed without a submission, the unentered amendment filed December 29, 2003 will be considered the submission required under 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application file is being forwarded to Technology Center 2100, Art Unit 2165, for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

A handwritten signature in black ink that reads "Retta Williams". The script is cursive and fluid, with the first name "Retta" and last name "Williams" clearly distinguishable.

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy